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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 MATTHEW R. TONKIN and LAURIE)
9 MCLELLAND, husband and wife,)
10 Plaintiffs,)
11 v.)
12 CTX MORTGAGE COMPANY, et al.,)
13 Defendants.)

3:11-cv-270-RCJ-VPC

ORDER

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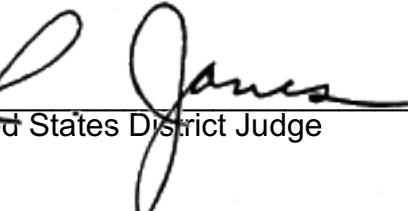
15 On September 27, 2011, the Court heard oral argument on MERS and Citimortgage,
16 Inc.'s Motion to Dismiss or in the Alternative Motion for Summary Judgment (#7), joined by
17 Cal-Western Reconveyance Corporation and First American Title Co. (#13). At oral
18 argument, the parties stipulated to dismiss Cal-Western and Citimortgage, with prejudice, from
19 the case. As discussed at oral argument, the Court now denies the motion to dismiss (#7) and
20 joinder (#13) as moot.

21 **CONCLUSION**

22 For the foregoing reasons, IT IS ORDERED that Cal-Western and Citimortgage are
23 dismissed from the case with prejudice.

24 IT IS FURTHER ORDERED that the Motion to Dismiss (#7) and Joinder (#13) are
25 DENIED as moot.

26 DATED: This 27th day of October, 2011.

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United States District Judge